

REMARKS

This amendment is responsive to the Office Action dated February 24, 2009. Claims 1, 3, 6, 8-11, 17, 50 and 52-67 were pending and under consideration. In the present paper, claims 1, 3, 6, 8-11, 50 and 52-56 are amended and claim 17 is cancelled without prejudice to Applicants' right to pursue the cancelled subject matter in this or a related continuation, divisional, or continuation-in-part application. Thus, following entry of the amendments to the claims, claims 1, 3, 6, 8-11, 50 and 52-67 will be pending and under consideration.

Applicants note that claims 57-67 are allowable and kindly thank the PTO for the same.

I. The Amendments to the Claims

The present paper presents amendments to claims 1, 3, 6, 8-11, 50 and 52-56. The amendments to the claims are fully supported by the application as filed and thus present no new matter. In particular, support for the amendments to claims 1, 3, 6, 8-11, 50 and 52-56 may be found in claim 17 as originally filed.

As the amendments to the claims are fully supported by the application as filed, they present no new matter. Accordingly, entry of the present amendment to the claims is hereby respectfully requested under 37 C.F.R. §1.115.

II. Interview Summary

Pursuant to M.P.E.P. §713.04, and in response to the Interview Summary, mailed February 24, 2009, Applicants submit the following Statement of the Substance of the Interview with the Examiner conducted by telephone on February 12, 2009. Present at the Interview were Examiner Bowman and Applicants' representative Teresa Liang.

The interview summary mailed by Examiner Bowman accurately reflects the substance of the interview in that the amendment to limit the claims to single stranded antisense compounds was discussed but agreement was not reached. Applicants warmly thank Examiner Bowman for the kind invitation to enter an Examiner's Amendment.

III. Priority

Applicants note that the PTO has denied benefit of prior filed Applications No. 60/475,402 and 10/684,440. For the record, Applicants note their disagreement with such

denial of benefit of the priority applications' filing dates and do not acquiesce that such denial is proper.

IV. The Rejection of Claims 1, 8-11, 50, 52, and 54-56 under 35 U.S.C. § 103(a)

Claims 1, 8-11, 50, 52, and 54-56 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious over Elbashir *et al.*, in view of Stinchcomb *et al.*, Nakamura *et al.*, Holen *et al.*, Olie *et al.*, Baracchini *et al.*, and Ramasamy *et al.* Without acquiescing to the propriety of the rejection, and solely to expedite prosecution of the claims, Applicants have amended claims 1 and 50 and the claims depending therefrom to recite a single stranded antisense compound. As the PTO has indicated that “recitation of single-strandedness in the claims” would obviate the rejection, Applicants believe the rejection is moot. *See* Final Office Action, Page 5. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 8-11, 50, 52, and 54-56 under 35 U.S.C. § 103(a).

V. The Objection to Claims 3, 6, 17, and 53

Claims 3, 6, 17, and 53 stand objected to as allowable but depending from a rejected base claim. Applicants note that the rejection is moot as claim 17 is cancelled and the claims from which claims 3, 6, and 53 depend have been amended to render such claims allowable. Therefore, the objection to claims 3, 6, 17, and 53 is moot and Applicants respectfully request its withdrawal.

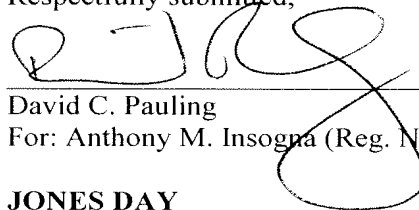
CONCLUSION

In light of the above remarks, Applicants respectfully request that the Office reconsider this application with a view towards allowance. If any issues require clarification, the Office is invited to contact the undersigned (650) 739-3949 in order to expedite the resolution of such issues.

No fees except the fee for a three month time extension are due for this Amendment. However, should any additional fees be deemed necessary, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3013 (reference 489808-999015).

Date: August 24, 2009

Respectfully submitted,



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